

## EXHIBIT 1



Entered on Docket  
April 01, 2008

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
USA Commercial Mortgage Company,  
USA Capital Realty Advisors, LLC,  
USA Capital Diversified Trust Deed Fund, LLC,  
USA Capital First Trust Deed Fund, LLC,<sup>1</sup>  
USA Securities, LLC,<sup>2</sup> Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING FIRST  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED UPON INVESTMENT IN  
THE FIESTA BEAUMONT \$2.4M  
LOAN**

Hearing Date: March 25, 2008  
Hearing Time: 9:30 a.m.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's First Omnibus  
2 Objection to Proofs of Claim Based Upon Investment in the Fiesta Beaumont \$2.4M Loan  
3 (the "Objection") [DE 5822]. Adequate notice of the Objection was given. No responses  
4 were filed to the Objection and no opposition was raised to the Objection at the hearing on  
5 March 25, 2008. Good cause appearing,

6 IT IS ORDERED that the Objection is sustained and the Proofs of Claim listed on  
7 Exhibit A attached are disallowed in their entirety because they were based entirely upon  
8 an investment in the Fiesta Beaumont \$2.4M Loan.

9 #####

10 PREPARED AND SUBMITTED:

11 **LEWIS AND ROCA LLP**

13 By: /s/ RC (#0006593)  
14 Susan M. Freeman  
15 Rob Charles  
15 John Hinderaker  
16 *Attorneys for USACM Liquidating Trust*

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1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

2 In accordance with Local Rule 9021, the undersigned certifies:

- 3       The Court waived the requirements of approval under LR 9021.
- 4       No parties appeared or filed written objections, and there is no trustee appointed  
5                  in the case.
- 6       No opposition was filed to the motion and no other party or counsel appeared at  
7                  the hearing.
- 8       I have delivered a copy of this proposed order to all attorneys and unrepresented  
9                  parties who have appeared at the hearing, and any trustee appointed in the case,  
                and each has approved or disapproved the order, or failed to respond, as  
                indicated below:

10        **LEWIS AND ROCA LLP**

11 By: /s/ RC (#0006593)

12 Susan M. Freeman

13 Rob Charles

14 John Hinderaker

15 *Attorneys for USACM Liquidating Trust*

**FIESTA/BEAUMONT**  
**Single Loan Claims**

**EXHIBIT A**  
**FIRST OMNIBUS OBJECTION**

<b>Claim</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Amount Subject to Objection Because it Relates to an Investment In the Fiesta - Beaumont Loan</b>
10725-02300	Dewhurst Family Trust	P.O. Box 6836 Incline Village, NV 89450	\$100,000.00	\$100,000.00
10725-02242	McQuerry Family Trust	William McQuerry 318 Singing Brook Circle Santa Rose, CA 95409-6483	\$49,968.89	\$49,968.89